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# Council of the Empire.



Suggestions by the British  
Empire League.



LETTERS FROM MR. MERRIMAN.

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## Suggestions by the British Empire League.

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### LETTERS FROM MR. MERRIMAN.

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The following correspondence has passed between the British Empire League and the Hon. John X. Merriman, M.L.A., Cape Colony:—

British Empire League,  
112, Canon-street, London, E.C.  
July 7, 1905.

Sir,—Under the instructions of the Council of the British Empire League, I have the honour to enclose herewith a copy of a series of resolutions moved by the Hon. W. P. Reeves (High Commissioner for New Zealand), seconded by the Hon. Sir John Cockburn, K.C.M.G., M.D., and adopted at a meeting of the Council, held in a committee room of the House of Commons on the 3rd inst., with the Right Hon. the Earl of Derby, K.C., president of the League, in the chair.

I am, sir, your obedient servant,

C. FREEMAN MURRAY,  
Secretary.

To the Hon. John X. Merriman, M.L.A., Stellenbosch,  
Cape Colony.

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Copy of the resolutions which accompanied the foregoing letter:—

1. That the League notes with pleasure that the principle of establishing a Council of the Empire has obtained recognition in the shape of arrangements for periodical conferences of representatives of the self-governing communities of the Empire.

2. That the League believes that the next step to be taken to give importance and efficiency to what is virtually an Imperial Council which will be to give it a permanent existence.

3. That the League, therefore, suggests that the next conference should preserve a continuous existence, its members, who will belong to it *ex officio*, consulting together by letter and by telegram as well as periodical meetings.

4. That it is desirable that the Empire of India should be represented on the Council.

5. That in order to furnish the Council with full information and expert advice it should be able to avail itself of the services of a permanent committee of persons experienced in Imperial affairs, whose business it shall be, under the Council's instructions, to examine into and report upon public matters and questions.

6. That the consideration of the all-important topic of Imperial defence should be specially included in the deliberations of the Council.

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### MR. MERRIMAN'S REPLY.

Mr. Merriman replied as follows:—

Stellenbosch, Cape Colony,  
August 1, 1905.

Sir,—I have to acknowledge the receipt of your letter of July 7, enclosing a copy of certain resolutions adopted by the British Empire League, with reference to the establishment of a "Council of Empire."

I do not know whether it would be in place to offer any remarks on the resolutions that you have been good enough to send me, and I hope that, if in doing so I transgress, I may be forgiven.

In the first place, I think that in any document which aims at laying down, in however fragmentary a manner, the foundations of what it is hoped may be a permanent constitutional structure, great care should be taken to make the meanings of any words used perfectly clear.

Now the word "Empire," which is a perfectly correct one to use as regards the relation of England to India, and to other communities which do not enjoy representative institutions, is clearly not a proper description of the self-governing communities spoken of in the resolutions.



The name "Empire," which is generally used to describe the various communities that acknowledge allegiance to the King of England, may serve as a convenient expression for the somewhat undefined relation that has hitherto so happily existed between England and the self-governing communities of English-speaking men; but if this relation is to be made the subject of any sort of written Constitution, I venture to think that "Commonwealth" and not "Empire" more nearly expresses the sort of relation that must exist in the future if the connection is to be a permanent one.

An Imperial Council, sitting in London, with the object of giving advice or exercising any control over self-governing communities, without at the same time having a right to give similar advice and control to Great Britain, will certainly not make for a permanence of the connection in the next generation, whatever it may do just now, when, for one reason or another, there is a good deal of generous enthusiasm, genuine as well as factitious.

With regard to the proposal in resolution No. 2 to give "importance and efficiency to what is virtually an Imperial Council," by giving it a permanent existence, I may take leave to remark that the present constitution of these conferences is by no means a representative one. In many cases, before the Minister whom accident has for the time sent to such a conference can return home he may well chance to find that the turn of the political wheel has put him in the minority, and the legacy of awkward resolutions, passed in a body in which his position was neither that of a delegate nor of a representative, is left to his successor.

In one case, at any rate, which is familiar to the writer, the Prime Minister, who had just managed, immediately before his departure, to scrape through on a motion of no confidence by the casting vote of the Speaker, attended one of these conferences, and during his stay in London, without any authority from the Legislature, pledged the Government of the Colony to a most embarrassing expenditure which had to be liquidated in another form by his successor in office.

The result is a growing feeling of suspicion and dislike for these irresponsible conferences, where only one side of Colonial feeling is represented, on the part of those work-a-day Assemblies at the other side of the world, who have to find the means, by taxation or otherwise, to carry out the resolutions upon which their opinion was not taken. If any satisfaction or permanence

is to be looked for, something more representative must be devised than the chance appointment of a fluctuating political Minister.

With regard to No. 4, which contemplates the extension of the functions of the proposed Council to India, it is difficult to see how the affairs and interests of the self-governing Colonies are to be mixed up with those of the Indian Empire, and, if I may be permitted to add, such a step would impose most undesirable responsibilities upon those democratic communities in addition to other burdens inseparable from their growth and position.

Resolution No. 5 advocates the formation of a permanent committee, whose functions should be, under the Council's instructions, to examine and report upon public matters and questions. As, presumably, this committee would be located in London and its functions would be almost wholly confined to giving advice to the self-governing Colonies, it is difficult to conceive any proceeding that would be more bitterly resented by those representative bodies who are responsible for the conduct of affairs in the Colonies than advice, however well meaning, tendered to them by a body located thousands of miles away, and of necessity out of touch with local conditions and feelings.

In conclusion I must apologise for the length of this letter, which deals so inadequately with a few of the problems arising out of your communication.

There are 11 million English-speaking men outside of England who owe allegiance to the King of England and who live under their own political Constitutions.

Time, it must be recollected, will still further increase the proportion between the subjects of the King who live outside England and those who live in England.

The advance and prosperity of these communities has been largely due to their emancipation from leading strings and the powers of self-government that they have enjoyed.

It would be a questionable experiment to set up the leading strings again, by whatever name they may be called.

I am, sir, your obedient servant,

JOHN X. MERRIMAN.



## THE LEAGUE'S REJOINDER.

The Secretary of the Empire League replied on October 27:—

Sir,—I brought your letter of August 1 last before the Executive Committee of the League at a meeting held on the 12th inst., with the Earl of Derby in the chair. It was received with much interest, and the points raised in the letter were duly considered.

In speaking of the whole of the countries under the rule of King Edward VII. "the British Empire" has become the recognised expression. It seems to the Council that the word "Empire" is not inappropriate in referring to a number of States which govern themselves, but are united for common purposes under the rule of one Sovereign. It does not imply superiority or inferiority of one part in relation to the rest. The Australian Federation is known as the Commonwealth, and if the term were applied to the whole of the British communities it might tend to confusion.

It appears to the Council that some misapprehension exists as to the object it had in view.

The League is certainly not in favour of the establishment of "an Imperial Council sitting in London with the object of giving advice or exercising any control over self-governing communities, without at the same time having a right to give similar advice and control to Great Britain." The Hon. W. P. Reeves, High Commissioner for New Zealand, in moving the resolutions, explained that in his view the Prime Minister of each self-governing community should be the representative of that community on the proposed Council, and should cease to be a member as a matter of course when he ceased to be Prime Minister. In other words, members of the Council would reside in different parts of the Empire, though the majority of its meetings would probably be held in London. If you will read the article by Mr. Reeves in the "British Empire Review" for November, 1904, which I am sending herewith, you will see that his views are not very far apart from yours. I also enclose a copy of the "Review" for August last, which contains a full report of the Council meeting of July 3, at which the resolutions were adopted.

The permanent committee would probably be composed of the Permanent Under-Secretaries of State for the Colonies and for India, the official representatives in London of the self-governing communities beyond the seas, and such experts as may be added temporarily

from time to time. Its duties would be strictly confined to the collection of information, which it would digest and tabulate in such a form as would prove most useful for the meetings of the Council of the Empire. Such a committee would certainly not be expected to offer advice to the different self-governing communities. Its work would be done entirely at the direction of the Council, and its opinions, if it expressed any, would be given confidentially to the Council and could be utilised or not as the Council might think fit.

With regard to the point you raise that the conferences are not representative because the Prime Ministers attending may have ceased to retain the confidence of the self-governing communities which they are supposed to represent, the Council is of opinion that, although this might occur in isolated cases, and though possibly some better method of appointing representatives may be devised, the plan suggested is well worthy of consideration. There is no doubt that every system of representation can be criticised, and these problems can only be solved by consultation and experience.

The reason for having India represented in the Council is that it is impossible to deal exhaustively with questions of defence or trade without including that great dependency, whose representative would probably be the Secretary of State for India.

To obtain the advantages of union it is obviously important that some mode may be devised by which views may be exchanged and common action secured.

Your letter is of great interest, and if anything should occur to you arising out of this reply it is hoped that you will not hesitate to write your views fully.

I am, sir, your obedient servant,

C. FREEMAN MURRAY,

Secretary.

The Hon. John X. Merriman, M.L.A., Stellenbosch,  
Cape Colony.



## MR. MERRIMAN'S REPLY TO THE LEAGUE SECRETARY.

Schoongezicht,

27th November, 1905.

To C. Freeman Murray, Secretary, British Empire League, 112, Cannon-street, London, E.C.

Sir,—I am in receipt of yours of 27th October, in which you reply to mine of 1st August, dealing with certain resolutions adopted by the Council of the British Empire League, and forwarded in yours of 7th July, 1905. I am very sensible of the courteous spirit in which the remarks made by me upon the resolutions have been received, and I feel confident that you will agree with me that it is only by subjecting such propositions to the most searching criticism that anything of practical use can be expected to result. I have read with great interest the article by Mr. Reeves and the report of the discussion by the League Council itself, which resulted in the adoption of the resolutions moved by him.

As you are good enough to invite me to write to you again on the subject, I do so, hoping, however, that you will take what I say not as merely captious criticism, but as the expression of the views of one who has had the question before him for more than 20 years, during which time experience and study have led to the modification of many views upon the important matters dealt with in the resolutions.

You will forgive me for saying that after a careful perusal of your reply and of the documents that accompanied it, I am still not clear as to the exact scope of the proposal put forward.

The Resolutions Nos. 2 and 3 speak of an Imperial Council which is to have a permanent existence. There is no mention either in the resolutions themselves or in the discussion that preceded their adoption of any sort of function, advisory or otherwise, to be exercised by this Council in regard to the most important part of the Empire—namely, the United Kingdom. I submit, therefore, that I was right in taking it to be a body dealing with the self-governing Colonies alone, upon matters many of them highly contentious, without previous consultation with the representative bodies who are responsible for their government.

Such a proceeding would, in my humble opinion, be most imprudent, and likely at no distant date to lead to serious friction.

Take the question of trade, for instance. It is easy to imagine all kinds of inconvenient resolutions passed by an irresponsible body in London that would be bitterly resented by local legislators, who have no idea of sacrificing their own personal interests in favour of other communities because they happen to be under the British flag.

In the original article by Mr. Reeves to which you refer me, he wisely enough says: "At present the white colonies have no desire whatever to interfere with the affairs of that vast country" (India). I think I may safely add the converse; that the white colonies have no desire that India should interfere with their affairs. Yet it is proposed in these resolutions that India should be represented on the Council.

If, however, I am to take the logical meaning of your words: "The League is certainly not in favour of the establishment of an Imperial Council sitting in London with the object of giving advice to or exercising any control over self-government communities without at the same time having a right to give similar advice and control to Great Britain," as inferring that you contemplate the creation of a body which should have the right of advice and control over all parts of the Empire, then I take leave to say that you are suggesting a very radical change, upon which I should like to hear the opinion of the House of Commons before venturing to give my own—merely, however, premising that our Parliaments are just as jealous of our rights and privileges as the Mother of Parliaments itself, and just as slow to hand them over to any junto.

At the risk of being tedious, I will venture to draw the attention of your Council to a point of some importance that is, perhaps, lost sight of in discussing plans for closer union.

This is the great and growing divergence in type, in thought and in feeling between communities situated in distant lands, in wholly dissimilar conditions, and under different climates and physical features.

Each of the Colonies is, in fact, setting up a national type of its own, unlike that of Great Britain—still more unlike each other.



The best examples of this divergence, perhaps, are the Dutch South Africans, who, after 200 years, except in language have little in common with the Hollander of to-day, and indeed in many respects, in their love of sport and of outdoor pursuits, approximate much more closely to the English yeoman.

I write without personal experience of Australia, but notwithstanding the creation there of cities disproportioned to the population, and the effect of immigration, in little more than a century there has been time for a distinct type to emerge.

I do not know whether this is to be regretted, or that it would be better for the future of our race if we were all to be run into one mould, but I am certain that this growing divergence will add very much to the difficulty of forming any written or prescribed bond between such varying communities as long as they retain the right of self-government. There is little in common between the legislative ideas of a close aristocracy like that of the Europeans in South Africa and the State Socialism of Mr. Reeves' own colony; still less between the requirements of an old country with its roots deep down in the past, and those of new communities who are not trammelled with many of the anomalies that are a legacy from an older system.

Those who desire to substitute an arrangement of the kind set forth in your proposals for the more elastic bond of union that has hitherto worked, on the whole, remarkably well, will have to reckon the strong natural objections that all Parliaments feel to having their affairs managed for them by bodies over which they have no control—an objection that will only be strengthened by any activity sure to be regarded as meddlesome; while those who are asked to add to the heavy burden of their own responsibilities new and unknown obligations, which may prove very embarrassing, may be pardoned if they hesitate to disturb that gradual development to which they owe their responsibility.

I will not take up your time further by labouring the point raised in my former letter as to the name of Empire, which perhaps is of secondary importance, merely remarking that Empire connotes imperium somewhere, and that this abstract question of where played a great part in the events which lost England her first Colonial Empire. Nor will I now go further with the other question of the mode of representation on these conferences. The method adopted now may be unavoid-

able in informal meetings like those which have been hitherto held. It certainly leads to a very one-sided and partial view being taken, and in any permanent body it would become intolerable.

The great thing after all for each of us is to try and see in what direction the great stream of our national life is tending, and to strive to guide it as far as possible into a useful channel. To turn it back or to dam it up, even if it were possible to do so, will only lead to a catastrophe.

I am, sir, your obedient servant,

JOHN X. MERRIMAN.













